



GOVERNOR'S TASK FORCE ON HUMAN TRAFFICKING MINUTES

Wednesday, August 14th, 2013

9:00 AM

**1700 W. Washington, Governor's 2nd Floor Conference Room
Phoenix, Arizona 85007**

A public meeting of the Governor's Task Force on Human Trafficking was convened on August 14th, 2013 in the 2nd Floor Conference Room, 1700 West Washington, Phoenix, Arizona 85007. Notice having been duly given. Present and absent were the following members of the Task Force.

Members Present

Cindy McCain (Co-Chairperson)
Gil Orrantia (Co-Chairperson)
Lea Benson
Doug Coleman
Adam Driggs
Doug Ducey
Larrie Fraley

Jim Gallagher
Robert Halliday
Bill Montgomery
Andrew Pacheco
Sheila Polk
Bill Ridenour
Brian Steele

Members Absent

Grant Woods

Staff Present

Jamie Bennett, Governor's Office
Lindsay Scornavacco, Governor's Office

1. Call to Order

Cindy McCain welcomed everyone to the Governor's Task Force on Human Trafficking meeting. The meeting was called to order at 9:08 a.m. Gil Orrantia thanked the Task Force members and members of the public for attending the meeting.

2. Approval of Minutes

Sheila Polk moved that the meeting minutes from the June 6th meeting be approved. Doug Ducey seconded the motion. All present members voted aye.

Mrs. McCain explained that United States Senator Richard Blumenthal submitted written remarks for the Task Force's consideration, as he was not able to attend in person. Mrs. McCain described Senator Blumenthal's involvement in Congress on human trafficking issues and encouraged members to review the remarks.

3. Presentation from Shared Hope International

Mrs. McCain introduced Christine Raino from Shared Hope International (SHI). Ms. Raino thanked the Task Force for the opportunity to present. She provided a brief summary of SHI's history and purpose, including SHI's Protected Innocence Report Card. Ms. Raino explained Arizona's 2012 score of a "C" grade, and also provided context for the state's ranking compared to other states. Even though Arizona had a "C" grade, the state ranked 13th out of the other 49 states and the District of Columbia.

Ms. Raino also described national legislative trends and highlighted several recommendations for Arizona. Specifically, she suggested a shift in emphasis from penalizing traffickers to addressing demand, along with a shift in how trafficking cases are responded to. She suggested trafficking victims should be provided with protection as opposed to punishment.

After being prompted by a question from Mrs. McCain, Ms. Raino explained that SHI provides training to professionals who interact with trafficking cases (law enforcement, service providers, stakeholders, and the general community). She mentioned that SHI also hosts training conferences in Washington D.C.

Mr. Orrantia asked for recommendations as they relate to best practices from other states for Arizona. Ms. Raino suggested careful consideration of the state's strengths and weaknesses in how trafficking cases are handled. She pointed out recent legislative changes addressing demand for minors. Montana amended their state constitution to protect all minors equally and provide substantial penalties for all children under 18. She also recognized Idaho, Utah, Oregon, and Virginia for similar legislative changes.

Ms. Raino also spoke about changes around services for victims. She acknowledged a need to connect existing systems of care. Pointing to Minnesota, she described a new model that incorporates a service response under a private/public partnership. She went on to describe another model in Kentucky, where minors who were victims of commercial sexual exploitation and charged with related status offenses would be referred to Child Protective Services (CPS) as opposed to the delinquency process. Ms. Raino informed members that SHI has issue briefs on other states' models available on their website.

Bill Montgomery inquired whether there was any data available on whether there has been a positive impact from the recent statutory changes she described as it relates to the rates of incidents on domestic minor sex trafficking. Ms. Raino explained that there is not a lot of clear data available because it is difficult to identify demand.

Andrew Pacheco pointed out that Arizona's racketeering law, A.R.S. § 13-2301, includes a comprehensive list of offenses related to trafficking. The statute covers human smuggling, money laundering, criminal enterprise, sexual exploitation of a minor, and prostitution. Mr. Pacheco offered to work with SHI in determining whether Arizona meets the criteria for that measure in the state report card. Ms. Raino thanked him for the clarification and explained the SHI looks for a clear definition of "sex trafficking" in a state's racketeering laws, when determining a state's grade. She agreed to work with Mr. Pacheco on the issue.

Larrie Fraley asked Ms. Raino how effective defense clauses are in other states as they relate to the argument of whether the john or pimp knew the victim was underage. Ms. Raino acknowledged the issue creates a difficult case for the defense to rebut. She explained that mistaken age in a statutory rape context is different because the victim is already engaged in criminal activity by engaging in commercial sex. Additionally, Ms. Raino suggested that the victim bears the burden or risk of the mistake. Mr. Fraley suggested there have been successes with the issue as it relates to prosecuting child pornography. Brian Steele was interested in whether training for CPS and the education systems was focused on awareness or prevention. Ms. Raino indicated SHI works to address both aspects. For prevention, SHI uses a short film entitled "Chosen" to educate youth in schools. SHI also has an assessment tool to help agencies identify victims.

Mr. Orrantia inquired about training mechanisms. Ms. Raino acknowledged the importance of training law enforcement, as they are usually the first responders in cases involving human trafficking. Ms. Raino also recognized that funding is often a challenge. She iterated the need for law enforcement to include the curriculum as part of the academy training, rather than just as an elective.

Jim Gallagher described all of the training SHI has provided to Arizona law enforcement. Lt. Gallagher also informed the Task Force that the Phoenix Police Department (PPD) has been working with the Arizona Peace Officer Standards and Training Board (AZ POST) to develop training curriculum for local law enforcement to begin using in 2014 throughout the state.

Robert Halliday spoke about the different strategies used by law enforcement and prosecution, and the need to cross train the two disciplines in order to become more effective. Ms. Raino agreed that there is a need for both perspectives in the training. She indicated that SHI has provided joint trainings and there seems to be interest in continuing those efforts.

4. Presentation from StreetLight

Mr. Orrantia introduced Task Force member Lea Benson representing StreetLight. Mrs. Benson explained that she hoped to articulate not just the challenges that StreetLight encounters, but other service providers as well. She shared a brief history of StreetLight and the vision under which it was created. Additionally, Mrs. Benson described the three strategies that StreetLight utilizes in addressing sex trafficking issues: awareness, prevention, and direct care.

Mrs. Benson outlined several observations from the past two and half years that StreetLight has served trafficking victims. First, Mrs. Benson shared that about 74% of the girls that have been placed at StreetLight have come from the child welfare system. Second, she explained that there are trafficking victims in every community, but that they stay silent because of the shame they feel. Mrs. Benson suggested that many trafficking victims are not already in the child welfare and delinquency system and that their needs are not being met.

Mrs. Benson said that some girls are being trafficked by their parents and the only reason they do not get out of it is because that is all they know. They do not have anywhere else to go. Mrs. Benson explained that although it is common to view what the girls are engaged in as a choice, most people do not consider the trauma that got them into those circumstances.

Mrs. Benson described speaking with girls about where they are going to go after they leave StreetLight. She said most girls do not have anywhere to go except to stay with a “boyfriend”. However, after talking with the girls a little more, StreetLight staff realize what the girls describe as a boyfriend is actually a trafficker.

Mrs. Benson also suggested that the licensing involved in the care of victims is inadequate and full of barriers. For example, she explained that StreetLight is not able to use metal detectors or sniff dogs to protect the girls, staff, and volunteers. StreetLight is unable to use those tools and they are unable to keep the victims they serve on campus, because they are licensed as a group home. She pointed out that if they were licensed as a regional treatment center or therapeutic center, they would only be able to keep the girls for 30 to 90 days. Mrs. Benson suggested that was not enough time to foster trust from the girls to receive sufficient help. She shared a recent story of a girl who was receiving treatment at StreetLight. The girl was not able to go to her mother’s funeral and ended up running away from StreetLight.

Mrs. Benson said that StreetLight has found that training is deficient for first responders (including probation, CPS workers, and law enforcement) in identifying victims. She also explained that former victims are unable to work at StreetLight to help other girls because they have felony charges on their record and are unable to work with minors.

Mrs. Benson introduced Caroline, a survivor of sex trafficking. Caroline shared her experience as a trafficking victim. She explained that when she was being trafficked there were no organizations that were considering how to address trafficking issues and there were no providers assisting victims. She described the difficulty she encountered in recovering from her experiences. Caroline also expressed frustration with not being able to help other victims because of her criminal history.

Mrs. Benson concluded her presentation by presenting the members with four areas of recommendations:

1. Help establish greater access to resources that help combat trafficking trauma and promote healing;
2. Identify and eliminate limitations and/or barriers to services;
3. Establish required training for government agencies who serve children so that child victims can be identified and served; and,
4. Pardon victims who are now survivors and who want to give back to their communities by working or volunteering with child victims.

Bill Ridenour asked Mrs. Benson about StreetLight’s resource needs. Mrs. Benson indicated there are gaps in services because the relevant programs and treatments are administered by several state agencies with different requirements. She said that one of the difficulties with funding is that middle-income families are not eligible for victim’s services. Therefore, in order to become eligible the parents must give up their rights to that child. Mrs. Benson shared a recent incident involving a father who was trying to help his daughter get services through StreetLight. StreetLight ended up taking the girl at no cost to the family and with no reimbursement for the costs incurred.

Mrs. Benson described the financial burden StreetLight encounters because of the funding it receives. She explained that 15 percent of StreetLight’s funding is from CPS contracts, which is funded at a shelter rate as opposed to a group home rate. The rest of StreetLight’s funding is from the community. Mrs. Benson suggested that services should be combined in order to address the holistic needs of the victims.

Mrs. McCain asked Mrs. Benson what happens when a girl comes in to StreetLight. Specifically, Mrs. McCain asked what the procedure is for notifying law enforcement and the investigation that takes place thereafter. Mrs. Benson indicated she contacts local law enforcement after receiving a girl from the streets. Lt. Gallagher explained that after a community referral is received and the victim receives services and is fairly stable, law enforcement initiates an investigation and works with prosecutors on the case. He said all of the girls are treated as victims until they prove they should be treated otherwise. Mrs. Benson commented on the accessibility of Lt. Gallagher's team and the training they have undergone. She said she is not able to receive the same level of support from other law enforcement.

Mr. Fraley asked Mrs. Benson whether StreetLight has seen any successes in light of their constraints. Mrs. Benson responded affirmatively. She explained that although you can never say that survivors are fully healed, StreetLight has had success in supporting the survivors. She shared that a few of the girls are going to college to pursue careers they are interested in.

Mr. Orrantia inquired about what StreetLight's greatest need was. Mrs. Benson acknowledged a funding need; however, she also identified licensing as an issue. She explained that StreetLight would like to diversify its license but was told different addresses were required for separate licenses. Mrs. Benson expressed a need to have a system of care that could address the range of issues present in trafficking victims.

Mr. Ducey asked which agencies Mrs. Benson has tried talking to about the issues. Mrs. Benson indicated it was the Department of Economic Security (DES), Department of Health Services (DHS), and the Administrative Office of the Courts (AOC). Mr. Ducey also asked for clarification on why StreetLight is not able to use metal detectors or monitor phone conversations. After being prompted by a question from Mrs. McCain, Mrs. Benson explained that she was uncertain about whether it is because of a state or federal law.

5. Short Break

Mrs. McCain recessed the Task Force meeting for a break from 10:16 to 10:37 a.m.

6. Discussion

Mr. Pacheco suggested the Task Force should work with groups like SHI and the Polaris Project in making sure their reports on Arizona law are accurate. He also indicated interest in touring StreetLight, along with other staff members of the Attorney General's Office. Mr. Pacheco went on to say he thought it would be helpful for the Task Force to look at the licensing issues Mrs. Benson highlighted.

Mr. Ridenour agreed with Mr. Pacheco. He suggested the three agencies' licensing processes could be streamlined and should have better oversight. He also said those agencies should have increased resources, especially for counseling services.

Mrs. Polk expressed gratitude for the opportunity to hear from all of the speakers who have presented to the Task Force to date. She explained that she has learned a lot from sitting on the Task Force. Mrs. Polk believes public education is needed, particularly as it relates to addressing the demand for sex trafficking.

Director Halliday said he learned a lot from the presenters and believes more public education and awareness is needed around the issue. He also suggested that collective action is essential to moving any of the recommendations forward.

Lt. Gallagher said that the raw numbers of arrests and prosecutions do not really tell the whole story of demand. He explained that demand is not always captured in the system. Lt. Gallagher told the members that ASU is working in partnership with the PPD on a new groundbreaking study that will address what demand truly is. He indicated hopes that the study will be used to inform training and improve identification of the underrepresented population.

Mr. Steele echoed Mrs. Benson's comments and suggested that many other providers encounter similar challenges. He explained that the faith community provides a lot of support for providers, but the licensing issues continue to be a roadblock. Mr. Steele said the state statutes need "more teeth" and spoke about the need to define the new demographic of trafficking victims. Additionally, he suggested that there should be stronger regulations in place for businesses that are involved in the demand side of the issue. Mr. Steele explained that the Dream Center has made prevention the focus of 2014 for the organization. He described a desire to partner with the Department of Public Safety and the Department of Economic Security to better serve victims, including identification and prevention.

Mrs. McCain announced that Backpage would be presenting to the Task Force at the September 11th meeting.

Mr. Montgomery iterated the importance of properly identifying the population and the areas of statute in need of reform when considering any changes to the law. He also highlighted the opportunity to work with CPS on how to properly serve juvenile victims of sex trafficking and other crimes.

Mr. Fraley said he is encouraged about the progress being made by the Task Force. He explained that he has been working on trafficking issues for a long time and has worked with other states. He shared that government regulation has been an obstacle and the level of awareness around the issue has been around for over 150 years; not much has changed. People were shocked that trafficking was going on then and they still are today. However, he also indicated that he is encouraged to see the work of providers like StreetLight and the Dream Center and the work they are doing to educate the public and bring awareness to the issue.

Doug Coleman expressed gratitude for the opportunity to tour StreetLight and for the work the organization is doing. He acknowledged several gaps in the state statutes as it relates to the criminal provisions, specifically referencing instances in which a perpetrator claims they did not know the age of the victim. Representative Coleman also affirmed the importance of training for law enforcement.

Mrs. Benson thanked the members for addressing the issue. She said that the work of the Task Force does not end after the discussion – there is a lot of work to be done.

Mr. Orrantia reminded the members that they are charged with making recommendations to the Governor, not to write the laws. He suggested that one of the recommendations should be for a working group to continue to look at the issues the Task Force has been discussing. He acknowledged that the work does not end after the next three meetings; but rather the work has just begun.

Mrs. McCain also reminded the members that the premise of the Task Force was the SuperBowl in 2015 because it is the largest venue for human trafficking in the United States, if not the world as well. She stated the purpose of the Task Force is to take the first steps towards preparing for the event and to create awareness of the issue. She reiterated that this is a long-term effort.

Mr. Montgomery proposed the ASU demand study also consider the cultural environment in which trafficking is occurring. He explained that the Task Force is dealing with a symptom, where the overall issue is the over-sexualization of young girls. He suggested greater public awareness, noting that if there was not an environment in which girls were seen as an appropriate object of sexual gratification we probably would not have as much demand.

Mrs. Polk voiced her support for a reoccurring recommendation that there be an ongoing group that continues to address trafficking issues. She iterated the importance of a group who will continue to move the recommendations forward after they are submitted. She suggested that a timeline should be created and the group should oversee the implementation of the recommendations working back from 2015.

Mrs. Benson informed the members of a program at StreetLight called "Choices" and ongoing evaluations from ASU on the culture of the girls they serve.

Mr. Orrantia highlighted the fact that the issue is multi-faceted. He pointed out that not all of the parties (law enforcement, CPS, providers) come together to discuss the issue and pursue a solution. He suggested that is a good first step. He also acknowledged the research capabilities that are currently available. Mr. Orrantia asked members to consider potential recommendations.

Mr. Steele mentioned the Project Blue awareness campaign that was discussed at a previous meeting. He acknowledged the need for a massive public awareness campaign.

Mrs. McCain said she understands that it is fair to ask the federal government for resources and assistance in preparing for the SuperBowl.

Lt. Gallagher affirmed that the PPD is already preparing for the SuperBowl and has a work plan in place working back from 2015. He indicated PPD worked on the last SuperBowl with the National Football League and they have already begun working with their security and the Federal Bureau of Investigation.

Mr. Ducey described how drunk driving, child abuse, child pornography, and domestic violence campaigns have been successful in recent years. When those terms are brought-up people know what the issues are; however, that is not the case with human trafficking. He suggested a significant need to address the root causes of the issue and to garner awareness within the community. Additionally, Mr. Ducey suggested a need for a different culture within state agencies around licensing issues. He said agencies need to be helpful and supportive.

Mrs. McCain encouraged members to be prepared to continue to discuss potential recommendations at future meetings.

7. Call to the Public

Savannah Sanders from TRUST suggested there be a local hotline in place that collaborates with Polaris Project's hotline. She spoke briefly to Mr. Montgomery's comment about whether there is data available on changes to law, indicating most changes are in a stage of infancy but data is beginning to be collected. Mrs. Sanders pointed to Clarke County, Illinois as an example of a jurisdiction with data available. Mrs. Sanders shared that a recent survey of johns asked what would deter them from buying and a lot of the results correlated to existing data.

Mrs. Sanders also shared five points:

1. Poverty is a driver for trafficking;
2. Perception of prostitution as a victimless crime;
3. Previous abuse is driving demand (for johns, pimps, and victims);
4. The term “purchasers” is being used but it is rape; and,
5. There is a bigger problem than just prosecuting trafficking cases – we must address demand.

Mrs. Sanders also recommended that survivors have a presence in working groups and panels.

Jeff Taylor with the Salvation Army expressed concern with an age disparity in the state statutes. Mr. Taylor shared how the Salvation Army serves victims of human trafficking and explained that survivors are the most effective communicators for victims. He said the fingerprint board provides good cause exemptions to individuals who normally do not qualify for a fingerprint clearance card. He suggested the exemption be broadened on a case-by-case basis to consider cases involving former trafficking victims.

Lyle Mann from the AZ POST acknowledged that he is working with Lt. Gallagher on developing training for law enforcement. He said he is looking forward to the recommendations and affirmed that they will be implemented.

H. Maynard Blumer from Paradise Valley United Methodist Church informed members of an upcoming event on September 30th with the Valley Interfaith Project to help build support for legislative changes. He indicated the faith community wants to help and they are ready and willing.

Mary Beth Hamilton, introduced herself and expressed a willingness and desire to help in any way she can, especially around education. She is interested in building a school.

Katie Resendiz from TRUST shared a brief history of the trafficking movement in Arizona and the role of TRUST. She asked for a representative from state government be represented in the group.

8. Closing Statements/Announce Next Meeting

Mr. Orrantia reminded everyone that the next meeting is scheduled for September 4th at 9:30 a.m. in the same room. The final two meetings are scheduled for September 11th and September 25th. All meeting materials are available on the Task Force website. He thanked everyone for attending and participating.

Mrs. McCain thanked everyone for coming to the meeting and for their support on the issues.

9. Adjournment

Mr. Orrantia adjourned the meeting at 11:32 a.m.